

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRISTY POMASKI,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:25-cv-01305-DAD-SCR (SS)

ORDER ADOPTING THE PARTIES’
STIPULATION FOR THE AWARD OF
ATTORNEY’S FEES UNDER THE EQUAL
ACCESS TO JUSTICE ACT

(Doc. No. 20)

On May 7, 2025, plaintiff Kristy Pomaski filed this action seeking review of a final decision of defendant Commissioner of Social Security. (Doc. No. 1.) On November 5, 2025, the parties filed a stipulation to voluntarily remand to the Commissioner of Social Security for further proceedings, and on November 7, 2025, pursuant to the parties’ stipulation the matter remanded. (Doc. Nos. 17, 18.) On November 12, 2025, the parties filed a stipulation with the court in which they agree that plaintiff shall be awarded attorney’s fees under Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d), in the amount of \$7,234.10. (Doc. No. 20.)

Good cause appearing, and pursuant to the parties’ November 12, 2025 stipulation, the court orders as follows:

1. Pursuant to the EAJA, 28 U.S.C. § 2412(d), plaintiff is awarded attorney’s fees in the amount of \$7,234.10;

2. After the issuance of this order the government shall consider the assignment of the EAJA attorney's fees to plaintiff's counsel:

a. Pursuant to the decision in *Astrue v. Ratliff*, 560 U.S. 586 (2010), any such assignment will depend on whether the attorney's fees are subject to any offset allowed under the United States Department of Treasury's ("the DOT") Offset Program;

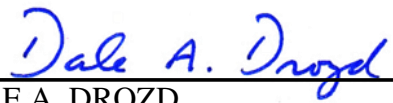
b. Fees shall be made payable to plaintiff, but if the DOT determines that plaintiff does not owe a federal debt, then the government shall cause the payment of attorney's fees to be made to be made directly to plaintiff's counsel, Francesco Benavides; and

3. Whether the payment of attorney's fees is made payable to plaintiff or to her counsel, the check shall be mailed to plaintiff's counsel's mailing address at:

Francesco Paulo Benavides
Law Offices of Francesco Benavides
1990 N. California Blvd.
8th Floor
Walnut Creek, CA 94596

IT IS SO ORDERED.

Dated: November 13, 2025



DALE A. DROZD
UNITED STATES DISTRICT JUDGE